

RECEIVED
CENTRAL FAX CENTER

T-036 P.001/003 F-588

Customer No. 28880

JUN 23 2005

Confirmation No. 3862

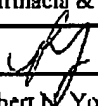
PTO/SB/21 (09-04)

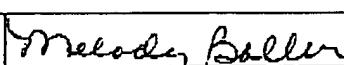
Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM	
<small>(to be used for all correspondence after initial filing)</small>	
Application Number	10/632,742
Filing Date	August 1, 2003
First Named Inventor	Robert C. Gadwood, et al.
Art Unit	1625
Examiner Name	Patricia L. Morris
Attorney Docket Number	27169 (formerly 00733.US1)
Total Number of Pages in This Submission	3

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Authorization to charge the fee and any additional fees as necessary or credit any overpayment to deposit account 23-0455 is hereby given.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Pharmacia & Upjohn Company	
Signature		
Printed name	Robert N. Young	
Date	6-23-05	Reg. No. 48,412

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Melody Baller	Date	6-23-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

USPTO Fax No. 703-872-9306

USSN: 10/632,742

JUN 23 2005

Ref. No. 27169 (formerly 00733.US1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/632,742

Confirmation No. 3862

Applicant: Robert C. Gadwood *et al.*

Filing Date: August 1, 2003

Art Unit: 1625

Examiner: Patricia L. Morris

Docket No: 27169 (formerly 00733.US1)

Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450**RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

This communication is responsive to an Office Action dated May 23, 2005, imposing a restriction requirement in the above-referenced application. The shortened one-month statutory period is set to expire on June 23, 2005. Accordingly, applicants believe this communication is timely filed. Applicants believe that no additional fee is required for acceptance of this communication. However, should any fees be required, the Patent Office is hereby authorized to charge such fees to Deposit Account No. 23-0455. Applicants likewise believe that no extension of time is required for acceptance of this communication. However, should a petition for extension of time be required for acceptance of this communication, applicants hereby petition for any extensions of time required for timely acceptance of the papers submitted herewith under 37 C.F.R. §1.136, and authorize payment of such extension fees to Deposit Account No. 23-0455.

In response to the restriction requirement, applicants provisionally elect the species N-((5S)-3-[3,5-difluoro-4-(6-oxopiperidin-3-yl)phenyl]-2-oxo-1,3-oxazolidin-5-yl)methyl)acetamide, set forth in Example 6 of the present application.